



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 1, 2023

**BY ECF AND EMAIL**

The Honorable J. Paul Oetken  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Yury Mosha*, 21 Cr. 92 (JPO)**

Dear Judge Oetken:

The Government respectfully submits this short letter in advance of defendant Yury Mosha's sentencing tomorrow and to supplement the Government's May 26, 2023 sentencing memorandum, (Dkt. No. 255), with new information from another immigration fraud conspiracy case in this District. As the Court may be aware, the same law enforcement team that investigated Russian America also investigated another immigration services firm that engaged in similar conduct, yielding the indictments and convictions of three other individuals, all of whom were arrested on the same date as Mosha, in the case of *United States v. Ilona Dzhamgarova, et al.*, 21 Cr. 58 (MKV). Yesterday, in that case, the Honorable Mary Kay Vyskocil sentenced two of the three defendants in that case, Ilona Dzhamgarova and Arthur Arcadian, to terms of imprisonment of 24 months and 6 months, respectively. The third defendant in that case, Igor Reznik, will be sentenced on June 7, 2023.

One aspect of yesterday's sentencings worth highlighting is that Arcadian's offense conduct was almost wholly limited to a single date (*i.e.*, in the hours immediately before and during a cooperating witness's interview with a USCIS asylum officer), for a single client. Given Arcadian's limited conduct, the Government asked for "a meaningful sentence, but one below the Stipulated Guidelines Range of 8 to 14 months' imprisonment," (*United States v. Arcadian*, 21 Cr. 58 (MKV), Dkt. No. 140 at 9), and Judge Vyskocil imposed a sentence of six months' imprisonment, the same sentence recommended by the U.S. Probation Department. Of particular note to the instant Russian America cases pending before this Court, the Government wrote the following about Arcadian's relative culpability in its Arcadian sentencing submission, which Judge Vyskocil considered in imposing yesterday's sentences:

The same law enforcement team which investigated the Dzhamgarova Firm also investigated another immigration services

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firm which engaged in similar conduct, yielding the indictment of six other individuals, most of whom were arrested on the same date as Dzhamgarova, in the case of *United States v. Yury Mosha et al.*, 21 Cr. 092 (JPO). None of the *Mosha* defendants has yet been sentenced. However, of the nine total defendants charged across both cases, Arcadian's culpability falls near the bottom, above the culpability of probably only one other defendant, Aleksei Kmit, who was not a leader, attorney, or in a position of public trust, and whose criminal conduct was relatively limited.

(*Id.*).

To avoid an unwarranted sentencing disparity, Mosha's relative culpability—comfortably above Arcadian's but well below Dzhamgarova's—further supports a custodial sentence within the Stipulated Guidelines Range of 12 to 18 months' imprisonment.

Respectfully submitted,

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